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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2010-137

13 **PATRICIA DOYLE**  
aka **PATRICIA BERSON**  
14 aka **PATRICIA BILESKO**  
1109 @ 5170 Lakeshore  
15 Burlington, Ontario, Canada L74C4  
and  
16 8147 Amor Road  
Los Angeles, California 90046  
17 Registered Nurse License No. 176652

**A C C U S A T I O N**

18 Respondent.  
19

20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
23 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),  
24 Department of Consumer Affairs.

25 2. On or about January 31, 1967, the Board issued Registered Nurse License  
26 Number 176652, to Patricia Doyle, also known as Patricia Berson, and Patricia Bilesko  
27 ("Respondent"). The registered nurse license was in full force and effect at all times relevant to  
28 the charges brought herein. It expired on November 30, 2008, and has not been renewed.

1 **JURISDICTION**

2 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part,  
3 that the Board may discipline any licensee, including a licensee holding a temporary or an  
4 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
5 Nursing Practice Act.

6 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall  
7 not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the  
8 licensee or to render a decision imposing discipline on the license. Under Code section 2811(b),  
9 the Board may renew an expired license at any time within eight years after the expiration.

10 **STATUTORY PROVISIONS**

11 5. Code section 2761 states, in pertinent part:

12 "The board may take disciplinary action against a certified or licensed nurse or deny an  
13 application for a certificate or license for the following:

14 (a) Unprofessional conduct.

15 6. Code section 2762 states:

16 In addition to other acts constituting unprofessional conduct within the  
17 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct  
for a person licensed under this chapter to do any of the following:

18 (a) Obtain or possess in violation of law, or prescribe, or except as  
19 directed by a licensed physician and surgeon, dentist, or podiatrist administer to  
himself or herself, or furnish or administer to another, any controlled substance as  
20 defined in Division 10 (commencing with Section 11000) of the Health and  
Safety Code or any dangerous drug or dangerous device as defined in Section  
21 4022.

22 (b) Use any controlled substance as defined in Division 10 (commencing  
with Section 11000) of the Health and Safety Code, or any dangerous drug or  
23 dangerous device as defined in Section 4022, or alcoholic beverages, to an extent  
or in a manner dangerous or injurious to himself or herself, any other person, or  
24 the public or to the extent that such use impairs his or her ability to conduct with  
safety to the public the practice authorized by his or her license.

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1 **COST RECOVERY**

2 7. Code section 125.3 provides, in pertinent part, that the Board may request the  
3 administrative law judge to direct a licensee found to have committed a violation or violations  
4 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
5 enforcement of the case.

6 **DRUGS**

7 8. "Cocaine" is a Schedule II controlled substance as designated by Health and  
8 Safety Code section 11055(b)(6).

9 **BACKGROUND INFORMATION**

10 9. On or about November 18, 2006, while on duty as a registered nurse at Olympia  
11 Medical Center, located in Los Angeles, California, Respondent began to feel short of breath and  
12 anxious, prompting her to seek medical attention at the emergency room. Respondent was  
13 evaluated and underwent lab tests. Respondent's lab tests returned positive for Cocaine.

14 **FIRST CAUSE FOR DISCIPLINE**

15 **(Possession of Controlled Substance)**

16 10. Respondent is subject to discipline under Code section 2761(a), on the grounds of  
17 unprofessional conduct, as defined in Code section 2762(a), in that on or about  
18 November 18, 2006, while on duty as a registered nurse at Olympia Medical Center, located in  
19 Los Angeles, California, Respondent was found to be in possession of Cocaine, a controlled  
20 substance.

21 **SECOND CAUSE FOR DISCIPLINE**

22 **(Use of a Controlled Substance)**

23 11. Respondent is subject to discipline under Code section 2761(a), on the grounds of  
24 unprofessional conduct as defined in Code section 2762(b), in that on or about  
25 November 18, 2006, while on duty as a registered nurse at Olympia Medical Center, located in  
26 Los Angeles, California, Respondent had used and was under the influence of a controlled  
27 substance, Cocaine, to an extent or in a manner dangerous or injurious to herself, any other  
28 person, or the public or to the extent that such use impaired her ability to conduct, with safety to

1 the public, the practice authorized by her license. Respondent was short of breath and had to  
2 report to the emergency room for treatment.

3 **PRAYER**

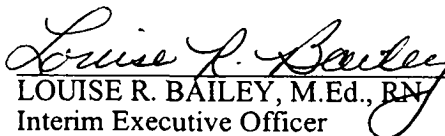
4 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein  
5 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 176652, issued to  
7 Patricia Doyle, also known as Patricia Berson, and Patricia Bilesko;

8 2. Ordering Patricia Doyle, also known as Patricia Berson, and Patricia Bilesko to  
9 pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of  
10 this case, pursuant to Code section 125.3; and,

11 3. Taking such other and further action as deemed necessary and proper.

12 DATED: 8/28/09.

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15 LOUISE R. BAILEY, M.Ed., RN  
16 Interim Executive Officer  
17 Board of Registered Nursing  
18 Department of Consumer Affairs  
19 State of California  
20 Complainant  
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Accusation (kdg) 6/11/09